

REMARKS

In the Office Action claims 1-25 were rejected under 35 U.S.C. §101 rejections. Applicant respectfully traverses the rejections. In this response, Applicant has amended claims 1, 2, 4, 9, 11, 18 and 23. Claims 26-35 are new.

The Office Action asserts that the claimed invention fails to claim a tangible result. Applicant respectfully disagrees. Applicant has identified certain areas of application of the claimed invention and has identified problems in the prior art. Specification, page 1 line 14 – page 2 line 12. In the detailed description, Applicant described inventive systems and methods that ameliorate and/or resolve certain of these issues and has claimed the steps necessary to obtain the described amelioration and resolution.

In rejecting the claims, the Examiner appears to have considered the claims and the detailed description of methods without regard for the context provided in the Specification and the meaning of the claim language. Consequently, the Office Action treats the claims as a recitation of an algorithm without input or useful output. Applicant has described a problem with the prior art and claims useful, concrete and tangible methods for resolving the problem. The Examiner is directed to the following statement:

Matching sets of points between a measured set and a template set is a common problem in astronomy, biomedical imaging, animation, precision instrument testing and calibration, and other technologies. One such technology is probe card analysis, in which planarity and alignment of a plurality of probes arranged in an array may be tested or calibrated through comparison with a known location of one or more fiducial marks, for example, disposed on or integrated into the structure of a fiducial plate.


Specification at page 1, lines 14-19. It should be apparent that the claimed systems and methods for point matching have application in astronomy, biomedical imaging, animation, precision instrument testing and calibration and are of particular use in the testing and calibration of planarity and alignment of a plurality of probes that are arranged in an array. The Summary section of the Specification expressly notes that problems associated with matching, testing and calibration of sets of points are overcome by embodiments of the presently claimed invention. Specification at page 2, lines 14-16. Consequently, Applicant respectfully submits that any inability to find a useful, tangible and concrete final result of the claimed steps necessarily stems from a failure to fully appreciate the disclosure, the context of the claims, the meaning of terms such as “measured point locations,” “template point locations” and the import of matching such measured point locations and template point locations. Therefore, the rejection of claims 1-25 under 35 U.S.C. §101 is improper.

Applicant has submitted certain amendments to the claims in order to expedite prosecution and facilitate allowance of the claims. However, Applicant believes the previously submitted claims to be allowable and intends to file one or more continuation applications to obtain protection for various additional embodiments of the claimed invention. In one example of an amendment, independent claim 1 now requires calibrating -- rather than matching -- measured point locations to template point locations. The utility of calibrating a test device that relies on testing at a plurality of point locations will be appreciated without undue effort.

Applicant has added new claims to explicitly recite certain embodiments of the invention. For example, claim 27 further amplifies the utility of the claims by claiming an embodiment in which the measured point locations include measured locations of probe tips.

For at least the reasons provided, and in view of the submitted amendments, Applicant respectfully requests withdrawal of the rejections and allowance of all claims in the Application. Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
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